

<b>Notic of Allowability</b>	<b>Application N .</b>	<b>Applicant(s)</b>	
	10/627,877	SMITH ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Wilbert L. Starks, Jr.	2121	

**-- The MAILING DATE f this c mmunication appears on the cover sheet with the c rrespondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the application filed 28 July 2003.
2. ☒ The allowed claim(s) is/are 1-14.
3. ☒ The drawings filed on 28 July 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachm nt(s)**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>3</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                        | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

## DETAILED ACTION

### *Reasons For Allowance*

1. Claims 1-14 are allowed.
2. The following is an Examiner's statement of reasons for allowance:
3. The cited prior art taken alone or in combination fails to teach the claimed invention of a distributed control system, as claimed by the Applicant. Specifically, independent claims 1 and 10 disclose a "retry counter" that is not present in the prior art cited by Examiner.
4. The closest prior art of Donohue et al<sup>1</sup> teaches a distributed microprocessor control system for a copier/duplicator but fails to teach or suggest the "retry counter" claimed by Applicant. Only to the extent that this feature is not present in the art cited by Examiner is the present case found by Examiner to be allowable over the art of record.
5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

---

<sup>1</sup> Donohue et al. (U.S. Patent Number 4,190,350 A; dated 26 February 1980; class 399; subclass 086)

***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A. Bjornsson (U.S. Patent Number 4,030,072 A; dated 14 June 1977; class 714; subclass 031) discloses computer system operation and control.

B. Daughton et al (U.S. Patent Number 4,183,089 A; dated 08 January 1980; class 710; subclass 021) discloses a data communications system for a reproduction machine having a master and secondary controllers.

C. Davis et al (U.S. Patent Number 4,445,180 A; dated 24 April 1984; class 700; subclass 289) discloses a plant unit master control for fossil fired boiler implemented with a digital computer.

7. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Wilbert L. Starks, Jr. whose telephone number is (571) 272-3691.

Alternatively, inquiries may be directed to the following:

**S. P. E. Anthony Knight            (571) 272-3687**

Application/Control Number: 10/627,877

Page 4

Art Unit: 2121

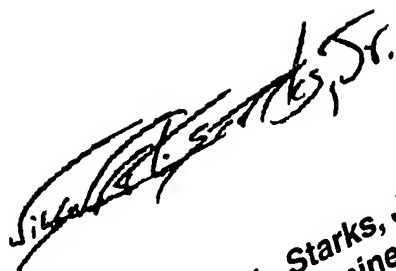
**Aft r-final (FAX)** (703) 746-7238

**Official (FAX)** (703) 746-7239

**Non-Official/Draft (FAX)** (703) 746-7240

WLS

09 January 2005

A handwritten signature in black ink, appearing to read "Wilbert L. Starks, Jr.", written diagonally across the page.

Wilbert L. Starks, Jr.  
Primary Examiner  
Art Unit - 2121